

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

EDDIE F. MARSHALL, et al.,	:	
Plaintiffs,	:	CASE NO. C-1-02-189
	:	
vs.	:	JUDGE WEBER
	:	
OHIO DEPT. OF EDUCATION, et al.,	:	MAGISTRATE JUDGE HOGAN
Defendants.	:	

AMENDED NOTICE OF DISMISSAL

Pursuant to Federal Rule of Civil Procedure 41(a)(1), Plaintiffs Eddie Marshall, et al., and Defendants the Ohio Department of Education and Susan Tave Zelman hereby stipulate that the above-captioned action is dismissed without prejudice as to these named Defendants. This stipulated notice corrects the notice of dismissal previously filed by the parties on September 8, 2004.

Respectfully submitted,

/s/Joseph Bancsi (per telephone authority)
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CERTIFICATE OF SERVICE

This is to certify that a true and accurate copy of the foregoing Amended Notice of Dismissal was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/Roger F. Carroll
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Assistant Attorney General